

# EXHIBIT A

Oct 19 20:04:11p

Kendall S. Murphy, Esq.

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Kendall S. Murphy, Esquire – NJ Attorney – ID Number: 035261995  
 309 Market Street  
 Trenton, New Jersey 0811  
 Telephone No.: 609-394-8382  
 Attorney for Plaintiff

Jamal A. Barlow

Plaintiff(s),

vs.

Tara Dzurkoc, John Doe Officers, 1-10,  
 City of Trenton, U.S. Marshals Task  
 Force, John Doe, 1-10, Individually  
 Jointly and Severally

Defendant(s) :

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION – MERCER COUNTY

DOCKET NO.: MER-L-001616-20

CIVIL ACTION

SUMMONS

FROM THE STATE OF NEW JERSEY, TO THE DEFENDANT(S) NAMED BELOW:

City of Trenton  
 City Hall  
 319 East State Street  
 Trenton, New Jersey 08608

The plaintiff named above has filed a lawsuit against you in the Superior Court of New Jersey. The Complaint attached to this Summons states the basis of this lawsuit. If you dispute this Complaint you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this Summons, not counting the date you received it. A filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights: you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay off all or part of the judgment.

CITY OF TRENTON

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CITY CLERK'S OFFICE

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If you cannot afford an attorney, you may call the Legal Services Office in the county where you live, telephone (609) 695-6249 for Mercer County. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling the Mercer

County Lawyer Referral Services at (609) 585-6200.

  
Clerk, Superior Court of New Jersey

Dated: October 19, 2020

Name of Defendant(s) to be served: City of Trenton  
Address for Service: City of Hall  
319 East State Street  
Trenton, New Jersey 08608

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**KENDALL S. MURPHY, ESQ., P.C. (035261995)**  
**309 MARKET STREET**  
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**Email: kemurphy@ksh-clw.com**  
**Attorney for Plaintiff(s)**

Jamal A. Barlow,

Plaintiff(s)

v.

Tara Dzurkoc, John Doe Officers 1-10,  
 City of Trenton, U.S. Marshals Task  
 Force, John Doe 1-10 Individually,  
 Jointly and Severally

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
 LAW DIVISION - MERCER COUNTY

Civil Action

Docket No.: MER-L-001616-20

**COMPLAINT and JURY DEMAND**

Plaintiff residing at 611 Bridge Street, in the City of Trenton, County of Mercer, State of  
 New Jersey, by way of complaint states:

1. At all relevant times, Defendants, Tara Dzurkoc, was an Officer employed with the City of Trenton Police Department, located at 225 North Clinton Avenue, City of Trenton, State of New Jersey.
2. At all relevant times, Defendants, U.S. Marshals Task Force, was employed with the United States Government, located at 402 East State Street, City of Trenton, State of New Jersey.
3. John Doe 1-10 is a fictitious designation for an individual or business entity, agent servant, or assign thereof whose act or omission contributed to the damages sustained by the Plaintiff as set forth more fully herein.
4. The principals, City of Trenton and U.S. Marshals Task Force is responsible for the acts or omissions of its agent, servant, or assign.

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**COUNT 1**

5. On or about September 13, 2018, Plaintiff was at his residence located at 611 Bridge Street, City of Trenton, New Jersey.
6. At the same time and place, Defendants were present.
7. Defendants approached the Plaintiff and apprehended the Plaintiff for outstanding municipal warrants.
8. At that point, Defendants grabbed the Plaintiff forcibly handcuffing him, and threw Plaintiff to the ground.
9. While on the ground and in custody said Plaintiff was viciously attacked, bitten, and savaged by a dog owned by the Defendants for which Defendants are liable within the meaning of the statute in such case made and provided.
10. Defendants realized that they had injured his arm and nonetheless they took him to the City of Trenton Police Station for processing prior to the hospital.
11. These acts and omissions by Defendants and/or John Doe 1-10 are ultra vires beyond the official duties of these Defendants.
12. Defendants and/or John Doe 1-10 acted in concert and each failed to protect the Plaintiff from assault and injury.
13. These acts and omissions by Defendants and/or John Doe 1-10 constitute individual criminal acts not barred by the Tort Claims Act.
14. These acts and omissions by the Defendants and/or John Doe 1-10 are civil rights violations specifically proscribed by 42 U.S.C. § 1983 et seq.
15. As a direct and proximate result of the acts and/or omissions of the Defendants and/or John Doe 1-10 Plaintiff suffered personal injuries which necessitated

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medical treatment and which resulted in pain and suffering, disability and loss of the normal enjoyment of life.

16. Defendants including but not limited to Defendants and/or John Doe 1-10, assaulted injured, searched, arrested, and detained Plaintiff.

17. Defendants and/or John Doe 1-10, used excessive force causing injury and great distress to Plaintiff.

18. The foregoing acts and omissions of said and/or John Does 1-10 constituted a violation of constitutional rights under the 14<sup>th</sup> and 8<sup>th</sup> Amendments giving rise to a federal cause of action under 42 U.S.C. § 1983.

WHEREFORE, Plaintiff demands Judgment against the Defendants and/or John Die 1-10 individually jointly, and severally for:

- a. Punitive Damages; and/or
- b. Compensatory damages; and/or
- c. Attorney's fees; and
- d. Interest; and
- e. Cost of suit.

By: \_\_\_\_\_

  
KENDALL S. MURPHY, ESQUIRE  
Attorney for Plaintiff

Dated: September 10, 2020

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### **JURY DEMAND**

Pursuant to R. 1:8-1(b) and R. 4:35-1 of the New Jersey Court Rules, Plaintiff(s) hereby demand a trial by jury for all issues so triable.

### **DESIGNATION OF TRIAL COUNSEL**

Pursuant to R.4:5-1(c) and R. 4:25 4 of the Court Rules, Kendall S. Murphy, Esquire is hereby designated as Trial Counsel for Plaintiff(s) in connection with this litigation.

### **NOTICE OF PER DIEM TIME-UNIT CLOSING ARGUMENT**

PLEASE TAKE NOTICE that Plaintiff(s) will use per diem argument during closing argument at Trial and suggest to Jury that unliquidated damages be calculated on a time-unit basis without reference to a specific sum, pursuant to Rule 1:7-1(b). Proper explanatory instructions to the Jury shall be requested in accordance with the Rule.

### **CERTIFICATION OF OTHER ACTIONS AND PARTIES**

Pursuant to R. 4:5-1(b) of the New Jersey Court Rules, the undersigned hereby certifies that the matter in controversy is not the subject of any other action pending in any court or of a pending arbitration proceeding. No other action or arbitration proceeding is contemplated, other than, if applicable to this case, UM/UIM arbitration. The undersigned does not know the names of any other parties who should be joined in the action or who are subject to joinder.

### **DEMAND FOR ANSWERS TO FORM INTERROGATORIES**

Pursuant to R. 4:17-1(b)(ii) of the New Jersey Court Rules, Plaintiff(s) hereby demand that the answering defendant answer Form C Uniform Interrogatories, and that such answers be served upon Plaintiff's counsel, Kendall S. Murphy, Esquire, 309 Market Street, Trenton, New Jersey 08611 in the time and manner set forth in the New Jersey Court Rules and the Discovery Instructions and Definitions set forth below.

### **DEMAND FOR FURTHER DISCOVERY**

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Pursuant to R. 4:10 of the New Jersey Court Rules, Plaintiff(s) hereby demand the answering Defendant respond to the Interrogatories and Request for Production of Documents that follow.

  
KENDALL S. MURPHY, ESQUIRE  
Attorney for Plaintiff

Dated: September 10, 2020